

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index #:
Date Purchased:

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LEONY DAVID MAZUETA MUNOZ, CINDY E. BRITO
REYES and ELVIN ALCANTARA RODRIGUEZ,

SUMMONS

Plaintiffs,

Plaintiffs designate Queens
County as the place of Trial.

-against-

The basis of venue is place of
occurrence.

640 LLC, and JASON FEINMAN,

Place of occurrence:

Defendants.
-----X

907M W/B Grand Central
Parkway at or near its
intersection with 100 Street.
County of Queens.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with the summons, to serve a notice of appearance on plaintiff's attorneys within twenty (20) days after service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, Judgment will be taken against you by default for the relief demanded in the Complaint.

DATED: Brooklyn, New York
August 27, 2019

Yours, etc.,
ROZENBERG & ASSOCIATES, P.C.
Attorney(s) for Plaintiffs

LEONY DAVID MAZUETA MUNOZ, CINDY E. BRITO
REYES

1811 Quentin Road
Brooklyn, NY 11229
(888) 850-3633
File #: 18-0212

By: 

Zachary Steven Rozenberg

DEFENDANTS' ADDRESSES:

640 LLC,
c/o Secretary of State

JASON FEINMAN
218 Kociemba Drive
River Vale Township, NJ 07675

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

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LEONY DAVID MAZUETA MUNOZ, CINDY E. BRITO REYES
and ELVIN ALCANTARA RODRIGUEZ,

Plaintiffs,

VERIFIED COMPLAINT

-against-

Index No.:

640 LLC, and JASON FEINMAN,

Defendants.
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Plaintiff, by their attorneys, ROZENBERG & ASSOCIATES, P.C., complaining of the
defendants herein, respectfully allege upon information and belief as follows:

1. Plaintiff, **LEONY DAVID MAZUETA MUNOZ**, was and still is a resident of the
County of Queens, City and State of New York.
2. Plaintiff, **CINDY E. BRITO REYES**, was and still is a resident of the County of
Queens, City and State of New York.
3. Plaintiff, **ELVIN ALCANTARA RODRIGUEZ**, was and still is a resident of the
County of Queens, City and State of New York.
4. Defendant, **JASON FEINMAN**, was and still is a resident of the State of New Jersey.

**AS AND FOR A FIRST CAUSE OF ACTION ON BEHALF OF LEONY DAVID
MAZUETA MUNOZ**

5. Defendant, **640 LLC**, was and still is a domestic business corporation duly organized and
existing under and by virtue of the laws of the State of New York.
6. Defendant, **640 LLC**, was and still is a domestic business corporation doing business
within the State of New York.
7. Defendant, **640 LLC**, was and still is a foreign business corporation duly organized and

existing under and by virtue of the laws of the State of New York.

8. Defendant, **640 LLC**, does and/or solicits business within the State of New York.
9. Defendant, **640 LLC**, derives substantial revenue from goods used or consumed or services rendered in the State of New York.
10. Defendant, **640 LLC**, derives substantial revenue from interstate or international commerce.
11. Defendant, **640 LLC**, expected or reasonably should have expected its acts and business activities to have consequences within the State of New York.
12. Defendant, **JASON FEINMAN**, at all times hereinafter mentioned, was an agent, servant and/or employee of defendant, **640 LLC**.
13. Defendant, **640 LLC**, managed the activities of its agents, servants and/or employees, specifically defendant **JASON FEINMAN**.
14. Defendant, **640 LLC**, controlled the activities of its agents, servants and/or employees, specifically defendant **JASON FEINMAN**.
15. Defendant, **640 LLC**, maintained the activities of its agents, servants and/or employees, specifically defendant **JASON FEINMAN**.
16. Defendant, **640 LLC**, inspected the activities of its agents, servants and/or employees, specifically defendant **JASON FEINMAN**.
17. Defendant, **640 LLC**, supervised the activities of its agents, servants and/or employees, specifically defendant **JASON FEINMAN**.
18. Defendant, **640 LLC**, trained its agents, servants and/or employees, specifically defendant **JASON FEINMAN**.
19. Defendant, **640 LLC**, by its agents, servants, employees, agencies and/or all departments, failed to adequately and properly test and/or screen applicants for the position of driver.

20. Defendant, **640 LLC**, by its agents, servants, employees, agencies and/or all departments, failed to adequately and properly train their employees, specifically defendant **JASON FEINMAN** for the position of a driver.
21. Defendant, **640 LLC**, by its agents, servants, employees, agencies and/or all departments, carelessly, negligently and recklessly hired applicants for the position of driver.
22. Defendant, **640 LLC**, by its agents, servants, employees, agencies and/or all departments, carelessly, negligently and recklessly trained employees, specifically defendant **JASON FEINMAN** for the position of driver.
23. On or about December 15, 2018, defendant, **640 LLC**, was the owner of a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV.
24. On or about December 15, 2018, defendant, **640 LLC**, maintained a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV.
25. On or about December 15, 2018, defendant, **640 LLC**, controlled a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV.
26. On or about December 15, 2018, defendant, **JASON FEINMAN**, was the operator of a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV.
27. On or about December 15, 2018, defendant, **JASON FEINMAN**, was controlling a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV.
28. On or about December 15, 2018, defendant, **JASON FEINMAN**, was operating a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV with the knowledge of the defendant owner.
29. On or about December 15, 2018, defendant, **JASON FEINMAN**, was operating a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV with the permission of the defendant owner.

30. On or about December 15, 2018, defendant, **JASON FEINMAN**, was operating a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV with the express consent of the defendant owner.
31. On or about December 15, 2018, defendant, **JASON FEINMAN**, was operating a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV with the implied consent of the defendant owner.
32. On or about December 15, 2018, defendant, **JASON FEINMAN**, was operating a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV on 907M W/B Grand Central Parkway at or near its intersection with 100 Street, Queens, New York.
33. On or about December 15, 2018, defendant, **JASON FEINMAN**, was operating a 2014 Ford motor vehicle bearing State of New Jersey registration number 14235EV within the scope of his employment.
34. At all times hereinafter mentioned, 907M W/B Grand Central Parkway at or near its intersection with 100 Street, Queens, New York, is and was public roadway, street, highway and/or thoroughfare used extensively by the public in general.
35. On or about December 15, 2018, plaintiff, **LEONY DAVID MAZUETA MUNOZ**, was operating a 2004 Honda motor vehicle bearing State of New York registration number HPZ4011.
36. At the aforesaid time and place, defendants' motor vehicles came into contact with plaintiff's vehicle.
37. That said contact was due solely to the negligence of the defendants, without any negligence on the part of the plaintiff contributing thereto.
38. That as a result of the aforesaid contact, plaintiff, **LEONY DAVID MAZUETA**

MUNOZ, was severely and permanently injured.

39. Plaintiff, **LEONY DAVID MAZUETA MUNOZ**, was injured.
40. Plaintiff, **LEONY DAVID MAZUETA MUNOZ**, was seriously injured.
41. Plaintiff, **LEONY DAVID MAZUETA MUNOZ**, has sustained a serious injury as defined by Article 51 of the Insurance Law, or economic loss greater than basic economic loss as defined by Article 51 of the Insurance Law.
42. This action falls within one or more of the exceptions set forth in CPLR §1602.
43. The aforesaid occurrence and resulting injuries to the plaintiff were due solely to the carelessness, recklessness and negligence of the defendants in the ownership, operation, management, inspection, maintenance, supervision, repair and control of the above mentioned motor vehicles.
44. That the negligence of the defendant, **640 LLC**, consisted of negligent hiring, training, retention and supervision of its agents, servants and/or employees, including the defendant, **JASON FEINMAN**.
45. That by reason of the foregoing, the plaintiff, **LEONY DAVID MAZUETA MUNOZ**, has been damaged in excess of the jurisdictional limits of all the lower Courts that would otherwise have jurisdiction in this state and by reason of the foregoing, the plaintiff has suffered damages in an amount to be determined at trial.

**AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF OF CINDY E.
BRITO REYES**

46. That at all times hereinafter mentioned, plaintiff, **CINDY E. BRITO REYES** repeats, reiterates and re-alleges each and every allegation contained in the paragraphs of this Complaint designated as "1" - "45" herein, as though more fully set forth herein at length.
47. That at the aforesaid time and place, plaintiff, **CINDY E. BRITO REYES**, was a

passenger in a 2004 Honda motor vehicle bearing State of New York registration number HPZ4011.

48. At the aforesaid time and place, defendant's motor vehicle came into contact with each plaintiff.
49. That said contact was due solely to the negligence of the defendants, without any negligence on the part of the plaintiff contributing thereto.
50. That as a result of the aforesaid contact, plaintiff, **CINDY E. BRITO REYES**, was severely and permanently injured.
51. That plaintiff, **CINDY E. BRITO REYES**, was injured.
52. That plaintiff, **CINDY E. BRITO REYES**, was seriously injured.
53. That plaintiff, **CINDY E. BRITO REYES**, has sustained a serious injury as defined by Article 51 of the Insurance Law, or economic loss greater than basic economic loss as defined by Article 51 of the Insurance Law.
54. This action falls within one or more of the exceptions set forth in CPLR §1602.
55. The aforesaid occurrence and resulting injuries to the plaintiff were due solely to the carelessness, recklessness and negligence of the defendants in the ownership, operation, management, inspection, maintenance, supervision, repair and control of the above mentioned motor vehicles.
56. That by reason of the foregoing, the plaintiff, **CINDY E. BRITO REYES**, has been damaged in excess of the jurisdictional limits of all the lower Courts that would otherwise have jurisdiction in this state and by reason of the foregoing, the plaintiff has suffered damages in an amount to be determined at trial.

**AS AND FOR A THIRD CAUSE OF ACTION ON BEHALF OF ELIVIN
ALCANTARA RODRIGUEZ**

57. That at all times hereinafter mentioned, plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, repeats, reiterates and re-alleges each and every allegation contained in the paragraphs of this Complaint designated as "1" - "56" herein, as though more fully set forth herein at length.
58. That at the aforesaid time and place, plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, was a passenger in a 2004 Honda motor vehicle bearing State of New York registration number HPZ4011.
59. At the aforesaid time and place, defendant's motor vehicle came into contact with each plaintiff.
60. That said contact was due solely to the negligence of the defendants, without any negligence on the part of the plaintiff contributing thereto.
61. That as a result of the aforesaid contact, plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, was severely and permanently injured.
62. That plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, was injured.
63. That plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, was seriously injured.
64. That plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, has sustained a serious injury as defined by Article 51 of the Insurance Law, or economic loss greater than basic economic loss as defined by Article 51 of the Insurance Law.
65. This action falls within one or more of the exceptions set forth in CPLR §1602.
66. The aforesaid occurrence and resulting injuries to the plaintiff were due solely to the carelessness, recklessness and negligence of the defendants in the ownership, operation, management, inspection, maintenance, supervision, repair and control of the above mentioned motor vehicles.
67. That by reason of the foregoing, the plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**,

has been damaged in excess of the jurisdictional limits of all the lower Courts that would otherwise have jurisdiction in this state and by reason of the foregoing, the plaintiff has suffered damages in an amount to be determined at trial.

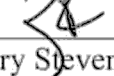
WHEREFORE, plaintiff, **LEONY DAVID MAZUETA MUNOZ**, demands judgment in the **FIRST CAUSE OF ACTION** in plaintiff's favor and against the defendants in an amount to be determined at trial, which is in excess of the jurisdictional limits of all lower courts, together with interest, costs and disbursements of this action. Plaintiff, **CINDY E. BRITO REYES**, demands judgment in the **SECOND CAUSE OF ACTION** in plaintiff's favor and against the defendants in an amount to be determined at trial, which is in excess of the jurisdictional limits of all lower courts, together with interest, costs and disbursements of this action. Plaintiff, **ELIVIN ALCANTARA RODRIGUEZ**, demands judgment in the **THIRD CAUSE OF ACTION** in plaintiff's favor and against the defendants in an amount to be determined at trial, which is in excess of the jurisdictional limits of all lower courts, together with interest, costs and disbursements of this action.

Dated: Brooklyn, New York
August 27, 2019

Yours, etc.,
ROZENBERG & ASSOCIATES, P.C.
Attorneys for Plaintiffs

LEONY DAVID MAZUETA MUNOZ, CINDY E. BRITO
REYES and ELVIN ALCANTARA RODRIGUEZ

1811 Quentin Road
Brooklyn, NY 11229
(888) 850-3633
File #: 18-0212

By: 
Zachary Steven Rozenberg

VERIFICATION BY AFFIDAVIT

STATE OF NEW YORK

SS:

COUNTY OF KINGS

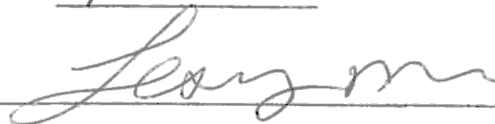
LEONY DAVID MAZUETA MUÑOZ being duly sworn, says:

I am a Plaintiff in the action herein: I have read the annexed COMPLAINT and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my personal files.

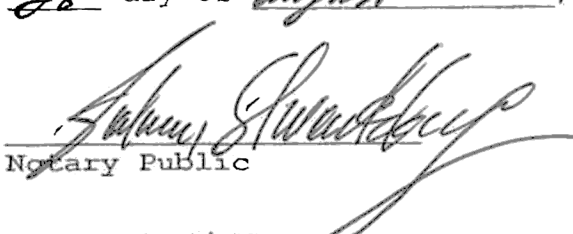
DATED: Brooklyn, New York

August 28, 20 19

X



Sworn to before me this

28 day of August, 20 19
Notary Public

Galina Shvartsberg
Notary Public, State of New York
No. 01SH6023664
Qualified in Kings County
Commission Expires April 26, 2023

VERIFICATION BY AFFIDAVIT

STATE OF NEW YORK

SS:

COUNTY OF KINGS

CINDY E. BRITO REYES, being duly sworn, says:


I am a Plaintiff in the action herein: I have read the annexed COMPLAINT and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my personal files.

DATED:

Brooklyn, New York

August 28, 20 19X 

Sworn to before me this

28 day of August, 20 19
Notary Public

Galina Shvartsberg
Notary Public, State of New York
No. 01SH6023664
Qualified in Kings County
Commission Expires April 26, 2023

VERIFICATION BY AFFIDAVIT

STATE OF NEW YORK

SS:

COUNTY OF KINGS

ELVIN ALCANTARA RODRIGUEZ being duly sworn, says:

I am a Plaintiff in the action herein: I have read the annexed COMPLAINT and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my personal files.

DATED: Brooklyn, New York
August 28, 20 19

X 

Sworn to before me this
28 day of August, 20 19


Notary Public

Galina Shvartsberg
Notary Public, State of New York
No. 01SH6023664
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
LEONY DAVID MAZUETA MUNOZ, CINDY E. BRITO
REYES and ELVIN ALCANTARA RODRIGUEZ

Plaintiff,

against

640 LLC and JASON FEINMAN,

Defendants.
-----X

SUMMONS AND VERIFIED COMPLAINT

ROZENBERG & ASSOCIATES, P.C.
1811 Quentin Road
Brooklyn, New York 11229
(888) 850-3633

Pursuant to 22 NYCRR 130-1.1, the undersigned the attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Service of a copy of the within is hereby admitted.

Dated:

.....

Attorney(s) for

Dated: Brooklyn, New York
August 27, 2019

ROZENBERG & ASSOCIATES, P.C.
1811 Quentin Road
Brooklyn, New York 11229
(888) 850-3633
